

01-07-02

A

Please type plus sign inside this box + PTO/SB/05(03/01) Approved for use through 10/31/2002 OMB 0651-0032 +

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	28809.0002
First Inventor	Fenwick et al.
Title	Large Offset Lattice Fence
Express Mail Label No.	EF380105694US

 JC970 U.S. PTO
10/03/02

01/04/02

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

 ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See CFR 1.27.
3. ☒ Specification [Total Pages / 10]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets / 2]
5. ☒ Oath or Declaration [Total Pages / 3 /]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☒ Other: Checks for \$370.00 and \$40.00

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of the prior application No. /

Prior application information Examiner: Group/Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) OR ☒ Correspondence address below

NAME Kevin D. McCarthy

Hodgson Russ LLP

ADDRESS One M&T Plaza, Suite 2000

CITY Buffalo STATE New York ZIP CODE 14203-2391

COUNTRY United States of America TELEPHONE (716) 856-4000 FAX (716) 849-0349

Name (Print/Type) Kevin D. McCarthy Registration No. (Attorney/Agent) 35,278

Signature Date January 4, 2002

"Express Mail" Mailing Label Number EF380105694US

Date of Deposit January 4, 2002

I hereby Certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Barbara Haggerty

Name

Signature

BFLODOCS 642054

FEE TRANSMITTAL for FY 2002

Patent Fees are subject to annual revision.

Application Number

Filing Date

January 4, 2002

First Named Inventor

Fenwick et al.

Examiner Name

Group/Art Unit

TOTAL AMOUNT OF PAYMENT

(\$410.00)

Attorney Docket Number

28809.0002

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

3. ADDITIONAL FEES

Deposit Account Number: 08-2442
Deposit Account Name:
Hodgson Russ LLP

Large
Fee
CodeEntity
Fee
(\$)Small
Fee
CodeEntity
Fee
(\$)

Fee Description

Fee
Paid

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

105

130

205

65

Surcharge - late filing fee or oath

\$

☒ Applicant claims small entity status. See 37 CFR 1.27.

127

50

227

25

Surcharge - late provisional filing fee or cover sheet

\$

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

139

130

139

130

Non-English specification

\$

FEE CALCULATION

147

2,520

147

2,520

For filing a request for *ex parte* reexamination

\$

1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$)

Code (\$)

Fee Description

Fee
Paid

112

920*

112

920*

Requesting Publication of SIR prior to Examiner Action

\$

113

1,840*

113

1,840*

Requesting Publication of SIR after Examiner Action

\$

101 740 201 370 Utility filing fee \$370

115

110

215

55

Extension for reply within first month

\$

106 330 206 165 Design filing fee \$

116

400

216

200

Extension for reply within second month

\$

107 510 207 255 Plant filing fee \$

117

920

217

460

Extension for reply within third month

\$

108 740 208 370 Reissue filing fee \$

118

1,440

218

720

Extension for reply within fourth month

\$

114 100 214 80 Provisional filing fee \$

128

1,960

228

980

Extension for reply within fifth month

\$

SUBTOTAL (1)

\$370

119

320

219

160

Notice of Appeal

\$

2. EXTRA CLAIM FEES

Extra Fee from
Claims belowFee
Paid

120

320

220

160

Filing a brief in support of an appeal

\$

Total Claims / 16 / -20** = / 0 / x / 9 / =

\$0

121

280

221

140

Request for oral hearing

\$

Independent Claims / 2 / - 3** = / 0 / x / 42 / =

\$0

138

1,510

138

1,510

Petition to institute a public use proceeding

\$

Multiple dependent / / x / / =

\$

140

110

240

55

Petition to revive - unavoidable

\$

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$)

Code (\$)

Fee Description

141

1,280

241

640

Petition to revive - unintentional

\$

103 18 203 9

Claims in excess of 20

142

1,280

242

640

10 advance copies

\$

102 84 202 42

Independent claims in excess of 3

Utility issue fee (or reissue)

\$

104 280 204 140

Multiple dependent claim if not paid

143

460

243

230

Design issue fee

\$

109 84 209 42

**Reissue independent claims over original patent

144

620

244

310

Plant issue fee

\$

110 18 210 9

**Reissue claims in excess of 20 and over original patent

122

130

122

130

Petitions to the Commissioner

\$

109 84 209 42

**Reissue independent claims over original patent

123

50

123

50

Processing fee under 37 CFR 1.17(q)

\$

110 18 210 9

**Reissue claims in excess of 20 and over original patent

126

180

126

180

Submission of Information Disclosure Statement

\$

110 18 210 9

**Reissue claims in excess of 20 and over original patent

126

180

126

180

Submission of Information Disclosure Statement

\$

SUBTOTAL (2)

\$0

581

40

581

40

Recording each patent assignment per property (times number of properties)

\$40

SIGNATURE:

146

740

246

370

Filing a submission after final rejection(37 CFR 1.129(a))

\$

Kevin D. McCarthy

Reg. No. 35,278

149

740

249

370

For each add'l invention to be examined(37 CFR 1.129(b))

\$

DATE: January 4, 2002 Telephone: (716) 848-1622

179

740

279

370

Request For Continued Examination (RCE)

\$

"Express Mail" Mailing Label Number: EF380105694US

169

900

169

900

Request for Expedited Examination of a design appln.

\$

Date of Deposit: January 4, 2002

*Reduced by basic filing fee paid

SUBTOTAL (3)

\$40

I hereby Certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Washington, D.C. 20231

Barbara Haggerty
Name

Barbara Haggerty
Signature

January 4, 2002
Date of Signature

642049